

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KWABENA KABAKA
Plaintiff,

v.

CITY OF PHILADELPHIA, et al.
Defendants.

CIVIL ACTION
NO. 20-6174

ORDER

AND NOW, this 23rd day of July, 2021, upon consideration of the City of Philadelphia's Motion to Dismiss Plaintiff Kwabena Kabaka's Amended Complaint (ECF 6) and Kabaka's Response (ECF 7) and consistent with the accompanying Memorandum of Law, it is **ORDERED** that the Motion is **GRANTED** and Kabaka's claims against the City (Count II of the Amended Complaint) are **DISMISSED**. Kabaka may file a Second Amended Complaint on or before **Monday, August 23, 2021** if he can allege enough facts to state a claim against the City pursuant to *Monell v. Department of Social Services*, 436 U.S. 658, 691 (1978).

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.